

REMARKS

Reconsideration of the above-identified application is requested in view of the remarks that follow.

In the July 3, 2006, Office Action in this application, the Examiner restated his requirement that application be restricted as follows:

- I. Claims 1-12
- II. Claims 13-20

The undersigned restates his May 15, 2006 telephone election to prosecute the Group I claims, i.e. 1-12, in this application. This election is made without traverse.

As indicated above, claims 13-20 have been cancelled.

The Examiner has rejected claims 1-12 under 35 USC §112, second paragraph, as being indefinite because of the use of the term "slower" in claim 1. The Examiner states that the claim does not define "slower" than what and requires that a relationship be defined.

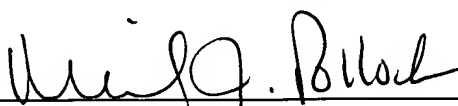
As indicated above, claim 1 has been amended to recite that the etch process recited in claim 1 has a slower etch rate near the substantially vertical sidewall of the etch feature than the etch rate near a horizontal area of the etch feature. Support for this relationship is found in Applicant's specification at page 3, beginning at line 12. In view of the foregoing, Applicant submits that amended claim 1 is now in compliance with all requirements of 35 USC §112.

Since the Examiner has raised no other issues with respect to claims 1-12, it is believed that this application is now in condition for allowance.

Respectfully submitted,

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